

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA

LATOYA FRANKLIN	) JURY TRIAL DEMANDED
Plaintiffs,	)
	)
v.	) Case No. CIV-18-622-M
	)
IC SYSTEMS INC. and AGENCY OF	)
CREDIT CONTROL INC.	)
Defendant.	)
	)

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

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**I. INTRODUCTION**

1. This is an action for actual and statutory brought by Plaintiff LaToya Franklin an individual consumer, against Defendants IC Systems Inc. and Agency of Credit Control Inc. for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

**II. JURISDICTION AND VENUE**

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1331. Venue in this District is proper in that the Defendants transact

business in Oklahoma City, Oklahoma County, Oklahoma, and the conduct complained of occurred in Oklahoma City, Oklahoma County, Oklahoma.

### III. PARTIES

3. Plaintiff LaToya Franklin (hereinafter “Ms. Franklin”) is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma. Ms. Franklin is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a(3).
4. Upon information and belief, Defendant IC Systems Inc., is a Minnesota corporation with its principal place of business located at 444 Highway 96 E, Saint Paul, MN 55127.
5. Defendant IC Systems Inc., is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempt to collect consumers’ debts alleged to be due to another.
6. Upon information and belief, Agency of Credit Control Inc., is a Colorado corporation with its principal place of business located at 2014 S Pontiac Way, Denver, CO 80224.
7. Defendant Agency of Credit Control Inc., is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempt to collect consumers’ debts alleged to be due to another.

#### **IV. FACTS OF THE COMPLAINT**

8. Defendant IC Systems Inc. (hereinafter referred to as “Debt Collector ICS”) and Defendant Agency of Credit Control Inc. (hereinafter referred to as “Debt Collector ACC”) are a “debt collectors” as defined by the FDCPA, 15 U.S.C. § 1692a(6).
9. On or about April 8, 2018, Ms. Franklin applied for and was denied a mortgage. Ms. Franklin subsequently obtained a copy of her credit report and noticed incomplete, inaccurate, and false information.
10. On the report, Ms. Franklin observed a trade line from Debt Collector IC.
11. Debt Collector ICS furnished a debt in the amount of \$135 with an account number 61857098 allegedly owned to Cox Communications Oklahoma.
12. On the report, Ms. Franklin also observed a trade line from Debt Collector ACC.
13. Debt Collector ACC furnished a debt in the amount of \$278 with an account number 110ZZ allegedly owned to OU Physicians.
14. On or about April 8, 2018, Ms. Franklin mailed a letter to Equifax Information Services LLC (“Equifax”) that disputed the validity

(accuracy and completeness) of the debt that both Debt Collectors were furnishing to the consumer-reporting agency.

15. Ms. Franklin also requested account-level documentation regarding the account that Debt Collector was inaccurately reporting.
16. On or about May 4, 2018, Ms. Franklin received re-investigation results from Equifax and noticed that Debt Collector ACC verified account number 110ZZ and Debt Collector ICS verified account number 61857098.
17. Each debt collector verified the debts did so without disclosing that Ms. Franklin had disputed the debt.
18. Neither debt collector provided any account level documentation that would evidence the veracity of the accounts.
19. Upon information and belief, Equifax sent a dispute communicating to both debt collectors, providing all relevant information pursuant to 15 U.S.C. § 1681i(a)(2).
20. Debt Collector negatively impacted Ms. Franklin's credit score by failing to disclose Ms. Franklin's dispute.
21. The information provided by both Debt Collector ICS and Debt Collector ACC on Ms. Franklin's credit report is false, inaccurate, and without any supporting account-level documentation.

22. Debt Collector's publishing of such inaccurate and incomplete information has severely damaged the personal and credit reputation of Ms. Franklin and caused credit denials, severe humiliation, and emotional distress and mental anguish.

**V. FIRST CLAIM FOR RELIEF**  
**(Defendant IC Systems Inc. and Defendant Agency of Credit Control Inc.)**  
**15 U.S.C. § 1692e(8)**

23. Ms. Franklin re-alleges and reincorporates all previous paragraphs as if fully set out herein.
24. The debt collectors violated the FDCPA.
25. The Debt Collectors' violations include, but are not limited to, the following:

The debt collectors violated 15 U.S.C. § 1692e(8) of the FDCPA by failing to disclose to the consumer reporting agencies that alleged debt was in dispute by Ms. Franklin.

26. As a result of the above violations of the FDCPA, the Defendants are liable to the Ms. Franklin actual damages, statutory damages and cost.

**VI. JURY DEMAND AND PRAYER FOR RELIEF**

WHEREFORE, Plaintiff LaToya Franklin respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against Debt Collector ICS and Debt Collector ACC for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C. § 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C. § 1692k(2);
- D. Cost and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted:

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By: /s/ Jeffrey A. Wilson  
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